



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER/FILED DATE	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/076,115	05/12/98	GRUBER	C 0942-40350001

STERNE KESSLER GOLDSTEIN AND FOX  
SUITE 600  
1100 NEW YORK AVENUE NW  
WASHINGTON DC 20005-3934

NOT ASSIGNED

1643

PP  
RWE  
BJD

6/5/PP  
RWE  
6/9

DATE MAILED: 06/03/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
 small entity (statement filed)  non-small entity is \$ 000.00

1. The statutory basic filing fee is:  
 missing.  
 insufficient.

Applicant must submit \$ 140.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. Additional claim fees of \$ 110.00, including any multiple dependent claim fees, are required.

\$ 306.00 for 4 independent claims over 3.  
\$ 626.00 for 38 dependent claims over 20.

\$                    for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:  
 is missing or unexecuted.  
 does not cover the newly submitted items.  
 does not identify the application to which it applies.  
 does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).  
 7. Your filing receipt was mailed in error because your check was returned without payment.  
 8. The application does not comply with the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."  
 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

JUL 22 1998  
PATENT & TRADEMARK OFFICE

## FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.

These are the fees effective October 1, 1997.

Patent and Trademark payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.

## Complete if Known

Application Number	09/076,115
Filing Date	May 12, 1998
First Named Inventor	Gruber
Examiner Name	To be assigned
Group / Art Unit	1643
Attorney Docket Number	0942.4350001/RWE/BJD

TOTAL AMOUNT OF PAYMENT

(\$1,738.00)

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)									
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:		3. ADDITIONAL FEES									
Deposit Account Number	19-0036	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid				
Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.	105	130	205	65	Surcharge - late filing fee or oath	130.00				
<input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17		<input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance		127	50	227	25	Surcharge - late provisional filing fee or cover sheet			
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check No. 22362		<input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other*		139	130	139	130	Non-English specification			
*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.						147	2,520	147	2,520	For filing a request for reexamination	
FEE CALCULATION						112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
1. BASIC FILING FEE						113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description		115	110	215	55	Extension for reply within first month	
101	790	201	395	Utility filing fee		116	400	216	200	Extension for reply within second month	
106	330	206	165	Design filing fee		117	950	217	475	Extension for reply within third month	
107	540	207	270	Plant filing fee		118	1,510	218	755	Extension for reply within fourth month	
108	790	208	395	Reissue filing fee		128	2,060	228	1,030	Extension for reply within fifth month	
114	150	214	75	Provisional filing fee		119	310	219	155	Notice of Appeal	
SUBTOTAL (1) (\$1,790.00)						120	310	220	155	Filing a brief in support of an appeal	
2. EXTRA CLAIM FEES						121	270	221	135	Request for oral hearing	
Total Claims	30	- 20**	= 10	X 22.00	= 220.00	138	1,510	138	1,510	Petition to institute a public use proceeding	
Indep. Claims	7	- 3**	= 4	X 82.00	= 328.00	140	110	240	55	Petition to revive - unavoidable	
Multiple Dependent Claims						141	1,320	241	660	Petition to revive - unintentional	
** or number previously paid, if greater; For Reissues, see below						142	1,320	242	660	Utility issue fee (or reissue)	
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description		143	450	243	225	Design issue fee	
103	22	203	11	Claims in excess of 20		144	670	244	335	Plant issue fee	
102	82	202	41	Independent claims in excess of 3		122	130	122	130	Petitions to the Commissioner	
104	270	204	135	Multiple dependant claim		123	50	123	50	Petitions related to provisional applications	
108	82	209	41	**Reissue independent claims over original patent		126	240	126	240	Submission of Information Disclosure Stmt	
110	22	210	11	**Reissue claims in excess of 20 and over original patent		581	40	581	40	Recording each patent assignment per property (times number of properties)	
SUBTOTAL (2) (\$818.00)						146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	
Other fee (specify):						149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify):						SUBTOTAL (3) (\$130.00)					
*Reduced by Basic Filing Fee Paid											

SUBMITTED BY		Complete (if applicable)		
Typed or Printed Name	Brian J. Del Buono			Reg. Number
Signature				P-42,473
Date	July 22, 1998			Deposit Acct. User ID

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

2921

Sector 4

## STERNE, KESSLER, GOLDSTEIN &amp; FOX P.L.L.C.

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WRITER'S DIRECT NUMBER:

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INTERNET ADDRESS:

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Assistant Commissioner for Patents  
 Washington, D.C. 20231

Box Missing Parts

Re: U.S. Patent Application  
 Appl. No. 09/076,115; Filed: May 12, 1998  
 For: **Methods for Production and Purification of Nucleic Acid Molecules**  
 Inventors: GRUBER et al.  
 Our Ref: 0942.4350001/RWE/BJD

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated June 3, 1998, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Missing Parts;
2. Fee Transmittal Form (PTO/SB/17) (*in duplicate*)
3. Original Declaration, executed by the inventors;
4. An original executed Power of Attorney from Assignee;
5. Assignee 37 C.F.R. § 3.73(b) Statement with copy of Assignment attached;

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JUL 28 1998  
GROUP 180  
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Assistant Commissioner for Patents  
July 22, 1998  
Page 2

6. Preliminary Amendment;
7. Our Check No. 22362 for \$1,738.00 to cover:  
\$ 790.00 Filing Fee for Patent Application (37 C.F.R. § 1.16)  
\$ 818.00 Fee for excess claims (37 C.F.R. § 1.16)  
\$ 130.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16); and
8. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono  
Agent for Applicants  
Registration No. P-42,473

BJD/aaw  
Enclosures

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SKGF Rev. 1/26/98 dcw

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